

"Perciattelli," "Chifferi Rigati," "Grandina," "Star," "Rigatoni," "Elbow Macaroni," or "Egg Spaghetti."

NATURE OF CHARGE: Adulteration, Section 402 (a), the products consisted in whole or in part of filthy substances by reason of the presence of live insects, insect fragments, insect excreta and webbing, rodent hairs, and a rodent excreta fragment; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they might have become contaminated with filth.

DISPOSITION: October 11, 1945. Pleas of guilty having been entered on behalf of the defendants, the partnership was fined \$500 on count 1 and \$1 on each of counts 2, 3, 4, and 5. The individual defendant was sentenced to serve 3 months in jail on count 1 and was fined \$1 on each of counts 2, 3, 4, and 5. The jail sentence was suspended, and the individual defendant was placed on probation for 3 years, with the provision that he clean up and maintain his manufacturing premises to the satisfaction of the Food and Drug Administration.

8512. Adulteration of macaroni and noodle products. U. S. v. 9 Cases of Egg Noodles, 22 Bags of Bombolati, 6 Cases of Macaroni, 2 Cases of Long Spaghetti, and 10 Bags of Macaroni. Default decree of condemnation and destruction. (F. D. C. No. 16742. Sample Nos. 29289-H, 29704-H to 29708-H, incl.)

LIBEL FILED: June 23, 1945, District of Nevada.

ALLEGED SHIPMENT: On or about May 19, 1945, by the Italian American Paste Co., Inc., from San Francisco, Calif.

PRODUCT: 9 cases of egg noodles, 22 bags of bombolati, 6 cases of macaroni, 2 cases of spaghetti, and 10 bags of macaroni at Reno, Nev.

LABEL, IN PART: "Best Quality Egg Noodles," "Semolina Best Quality Paste," or "Granulated Semolina Product."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent hairs and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

DISPOSITION: August 6, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

8513. Adulteration of macaroni and noodle products. U. S. v. 11 Cases of Macaroni and Noodle Products. Default decree of condemnation and destruction. (F. D. C. No. 16347. Sample Nos. 5846-H to 5850-H, incl.)

LIBEL FILED: June 8, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about April 17, 1945, by the Cardinale Macaroni Manufacturing Co., Inc., from Brooklyn, N. Y.

PRODUCT: 11 cases, each containing 20 1-pound cartons, of macaroni and noodle products at Hoboken, N. J.

LABEL, IN PART: "Cardinale Grade A Macaroni * * * Spaghetti [or "Spaghetтини," or "Maruzzelle Liscie"]," or "Cardinale Quick Cooking Sea Shells [or "Grade A Macaroni Products"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

DISPOSITION: November 7, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

8514. Adulteration and misbranding of macaroni and noodle products. U. S. v. 121 Cases of Egg Noodles (and 16 other seizure actions against macaroni and noodle products). Default decrees of condemnation. Portion of products ordered delivered to public institutions, for use as animal feed; remainder ordered destroyed. (F. D. C. Nos. 15979, 16122, 16180, 16210 to 16212, incl.; 16230 to 16232, incl.; 16258, 16259, 16291, 16293, 16310, 16312, 16316, 16741. Sample Nos. 3080-H to 3082-H, incl.; 3084-H to 3092-H, incl.; 3451-H to 3453-H, incl.; 9434-H, 10063-H, 10064-H, 10069-H to 10073-H, incl.; 10075-H, 10077-H, 10083-H, 10084-H, 10274-H to 10276-H, incl.; 10477-H, 10494-H to 10499-H, incl.; 10504-H to 10507-H, incl.; 14617-H, 17630-H.)

LIBELS FILED: Between April 28 and June 21, 1945, Western District of New York, District of Maryland, Northern and Southern Districts of Ohio, Eastern

District of Michigan, District of Columbia, and Northern District of West Virginia.

ALLEGED SHIPMENT: Between the approximate dates of February 15 and May 7, 1945, by the Indiana Macaroni Co., Inc., from Indiana, Pa.

PRODUCT: 1,812½ cases of macaroni and noodle products at Jamestown, N. Y.; Frederick, Md.; Washington, D. C.; Youngstown, East Liverpool, and Steubenville, Ohio; Detroit, Mich.; and Benwood and Weirton, W. Va.

LABEL, IN PART: (Portions) "Indiana Brand," "La Gragnano Napoli Style," or "Approvata Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent hairs, rodent hair fragments, rodent excreta, and insect fragments; and, Section 402 (a) (4), the products had been prepared under insanitary conditions whereby they might have become contaminated with filth.

Misbranding, Section 403 (a), the statement, "Guaranteed to comply with State and Federal Pure Food Laws," appearing on the labels of certain portions of the products, was false and misleading as applied to products which did not comply with State and Federal pure food laws.

DISPOSITION: Between May 28 and October 17, 1945. No claimant having appeared, judgments of condemnation were entered and the products in the Frederick, Detroit, and Washington lots were ordered delivered to public institutions, for use as animal feed. The remaining products were ordered destroyed.

8515. Adulteration of egg noodles. U. S. v. 20 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 16164. Sample No. 4233-H.)

LIBEL FILED: May 19, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 20, 1945, by the Cumberland Macaroni Manufacturing Co., from Cumberland, Md.

PRODUCT: 20 cases, each containing 12 1-pound packages, of egg noodles at Lancaster, Pa.

LABEL, IN PART: "Alpine Eagle Macaroni Product Pure Egg Noodles."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: September 12, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8516. Adulteration of Superio Macaroni and Cheese Dinner and Superio Chili-Mac Dinner. U. S. v. 63 Cartons of Macaroni and Cheese Dinner and 38 Cartons of Chili-Mac Dinner. Default decree of condemnation and destruction. (F. D. C. No. 16317. Sample Nos. 32092-H, 32093-H.)

LIBEL FILED: June 8, 1945, District of Arizona.

ALLEGED SHIPMENT: On or about April 30, 1945, by the Superior Macaroni Co., from Los Angeles, Calif.

PRODUCT: 63 cartons, each containing 24 packages, of macaroni and cheese dinner; and 38 cartons, each containing 24 packages, of Chili-Mac Dinner at Phoenix, Ariz.

LABEL, IN PART: "Superio Macaroni and Cheese Dinner," or "Superio Chili-Mac Dinner."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

DISPOSITION: September 12, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

BAKERY PRODUCTS

8517. Adulteration of bread. U. S. v. Amarillo Baking Co. Plea of guilty; fine, \$800. (F. D. C. No. 15581. Sample Nos. 68824-F, 68826-F, 68828-F, 68830-F.)

INFORMATION FILED: September 12, 1945, Northern District of Texas, against the Amarillo Baking Co., a partnership, Amarillo, Tex.